



1 hr / 2618

PTO/SB/21 (09-04)
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| | | |
|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/929,979 |
| | Filing Date | August 15, 2001 |
| | First Named Inventor | Noah J. Ternullo |
| | Art Unit | 2618 |
| | Examiner Name | Tu X. Nguyen |
| Total Number of Pages in This Submission | Attorney Docket Number | 12078-141 |

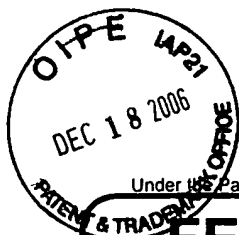
| ENCLOSURES (Check all that apply) | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Compact Disc enclosing copies of all cited references; return postcard. |
| <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks Supplemental Information Disclosure Statement letter; Form PTO 1449 | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
|--|-----------------------|-----------------|
| Firm Name | Burns & Levinson LLP | |
| Signature | <i>David W. Gomes</i> | |
| Printed name | David W. Gomes | |
| Date | December 14, 2006 | Reg. No. 27,640 |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|-----------------------|------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | |
| Signature | <i>David W. Gomes</i> | |
| Typed or printed name | David W. Gomes | Date December 14, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/929,979 |
| Filing Date | August 15, 2001 |
| First Named Inventor | Noah J. Ternullo |
| Examiner Name | Tu X. Nguyen |
| Art Unit | 2618 |
| Attorney Docket No. | 12078-141 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

03-2410 (Order 12078-141)

Perkins Smith & Cohen LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 790 | 2001 395 | Utility filing fee | |
| 1002 350 | 2002 175 | Design filing fee | |
| 1003 550 | 2003 275 | Plant filing fee | |
| 1004 790 | 2004 395 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 88 | 2201 44 | Independent claims in excess of 3 | |
| 1203 300 | 2203 150 | Multiple dependent claim, if not paid | |
| 1204 88 | 2204 44 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|---------------|--|----------|
| 1051 130 | 2051 65 | | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | | Non-English specification | |
| 1812 2,520 | 1812 2,520 | | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | | Extension for reply within first month | |
| 1252 430 | 2252 215 | | Extension for reply within second month | |
| 1253 980 | 2253 490 | | Extension for reply within third month | |
| 1254 1,530 | 2254 765 | | Extension for reply within fourth month | |
| 1255 2,080 | 2255 1,040 | | Extension for reply within fifth month | |
| 1401 340 | 2401 170 | | Notice of Appeal | |
| 1402 340 | 2402 170 | | Filing a brief in support of an appeal | |
| 1403 300 | 2403 150 | | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | | Petition to revive - unintentional | |
| 1501 1,370 | 2501 685 | | Utility issue fee (or reissue) | |
| 1502 490 | 2502 245 | | Design issue fee | |
| 1503 660 | 2503 330 | | Plant issue fee | |
| 1460 130 | 1460 130 | | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | | Submission of Information Disclosure Stmt | 180 |
| 8021 40 | 8021 40 | | Recording each patent assignment per property (times number of properties) | |
| 1809 790 | 2809 395 | | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 790 | 2810 395 | | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 790 | 2801 395 | | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

David W. Gomes

Registration No.
(Attorney/Agent)

27,640

Telephone 617-345-3000

Signature

David W. Gomes

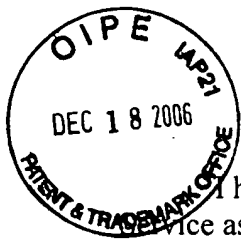
Date

December 14, 2006

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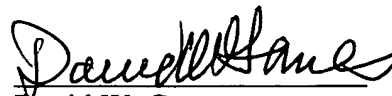
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 14, 2006.


David W. Gomes
Reg. No. 27,640

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Noah J. Ternullo et al.

Serial Number: 09/929,979

Filed: August 15, 2001

Title: METHOD AND APPARATUS FOR DETERMINING
THE CONTEXT OF A HANDHELD DEVICE

Attorney Docket No.: 12078-141

Examiner: Tu X. Nguyen

Group Art Unit: 2618

Confirmation No. 2164

BURNS & LEVINSON LLP
125 Summer Street
Boston, MA 02110
(617) 345-3000

To: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Supplemental Information Disclosure Statement (Form PTO-1449) is submitted under 37 CFR 1.97(c)(2), including copies of the cited references. Applicants have herein provided, on the enclosed Compact Disc, copies of the patents and publications listed in the attached USPTO Form 1449. The MPEP does not prohibit the use of a Compact Disc to provide copies as required in MPEP § 198(d). Therefore, Applicants request that this Information Disclosure Statement be entered and that the patents and publications herein submitted be reviewed.

12/19/2006 EAYALEW1 00000027 032410 09929979
01 FC:1806 180.00 DA

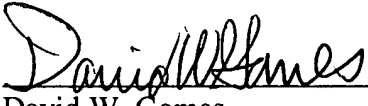
Applicants submit herewith a Supplemental Information Disclosure Statement under 37 CFR 1.97(c)(2) before the mailing of a final office action. In view thereof, a fee in the amount of \$180.00 is enclosed. The Commissioner for Patents is authorized to charge the fee of \$180.00 to Deposit Account No. 03-2410, Order No. 12078-141, and to also charge any deficiency or credit any overpayment of fees to Deposit Account No. 03-2410, Order No. 12078-141.

The following information is presented in the event that a call may be deemed desirable by the Examiner:

DAVID W. GOMES (617) 345-3000.

Respectfully submitted,
Noah J. Ternullo et al., Applicants

Dated: December 14, 2006

By: 
David W. Gomes
Reg. No. 27,640
Attorney for Applicants



FORM PTO-1449
U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.: 12078-141

APPLICATION SERIAL NO.: 09/929,979

GROUP ART UNIT: 2618

PUBLICATION NO.: 2002-0039882

APPLICANT: Noah J. Ternullo

EXAMINER: Tu X. Nguyen

FILING DATE: August 15, 2001

CONFIRMATION NO.: 2164

RE: METHOD AND APPARATUS FOR DETERMINING THE CONTEXT OF A HANDHELD
 DEVICE

U.S. PATENT DOCUMENTS

| | DOCUMENT NO. | DATE | NAME | CLASS/SUB-CLASS | FILING DATE IF APPROPRIATE |
|--|--------------|-----------|------------------|-----------------|----------------------------|
| | 5,912,752 | 6/15/1999 | Mollett et al. | 359/137 | 6/26/1996 |
| | 5,982,520 | 11/9/1999 | Weiser et al. | 359/172 | 3/28/1996 |
| | 6,065,681 | 5/23/2000 | Trueggelmann | 235/487 | 1/29/1998 |
| | 6,094,724 | 7/25/2000 | Benhammou et al. | 713/202 | 11/26/1997 |
| | 6,101,483 | 8/8/2000 | Petrovich et al. | 705/26 | 5/29/1998 |
| | 6,650,451* | 9/18/2003 | Byers et al. | 359/159 | 8/24/1999 |
| | 20020083179* | 6/27/2002 | Shaw et al. | 709/227 | 11/21/2000 |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NO. | DATE | APPLICANT NAME | CLASS/SUB-CLASS | TRANSLATION YES NO |
|------------------|---------------|-----------|----------------|-----------------|-----------------------|
| | DE 19718904A1 | 12/11/98 | Kosel | G06F 17/60 | X |
| | EP 0837406A2 | 4/22/98 | Klein et al. | G06F 17/30 | X |
| | EP 0552861A2 | 7/28/1993 | Davida et al. | H03M 13/00 | X |
| | WO 98/18094A1 | 4/30/98 | Teicher | G06F 17/60 | X |

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, etc.)

| | |
|----|--|
| 1. | Böhm, K., <i>On Extending the XML Engine with Query-Processing Capabilities</i> , 2000, IEEE 0-7685-0659-3/00. |
|----|--|

* These patents are representative of the state of the art but published after or less than one year prior to Applicant's priority date. Therefore, if any such item is considered sufficiently relevant by the Examiner to the present invention, its possible "prior art" status against the present invention should be considered individually allowing for the prospect of swearing back or other priority determination.

EXAMINER**DATE CONSIDERED**